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 CITY AND COUNTY OF SAN FRANCISCO; and
 DR. GRANT COLFAX, an individual, in his official capacity as
 Director of the San Francisco Department of Public Health

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

INTERNATIONAL FUR TRADE
 FEDERATION, an unincorporated association,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
 FRANCISCO; and DR. GRANT COLFAX, an
 individual, in his official capacity as Director
 of the San Francisco Department of Public
 Health,

Defendants.

Case No. 3:20-cv-00242-RS

**REQUEST FOR JUDICIAL NOTICE IN
 SUPPORT OF DEFENDANTS' MOTION TO
 DISMISS COMPLAINT FOR DECLARATORY
 AND INJUNCTIVE RELIEF**

Hearing Date: May 7, 2020
 Time: 1:30 p.m.
 Place: Honorable Judge Richard Seeborg
 United States District Court
 Courtroom 3 – 17th Floor
 450 Golden Gate Avenue
 San Francisco, CA 94102

Action Filed: January 13, 2020
 Trial Date: None set.

Attached documents: Exhibits A - B

THE HUMANE SOCIETY OF THE UNITED
 STATES and ANIMAL LEGAL DEFENSE
 FUND,

[Proposed] Defendant-Intervenors.

Defendants City and County of San Francisco, *et al.*, hereby respectfully request, pursuant to Federal Rule of Evidence 201, that this Court take judicial notice of the following materials in support of their Motion to Dismiss the Complaint.

1. Attached hereto as **Exhibit A** is a true and correct copy of Article 1D of the San Francisco Health Code, entitled “Animal Fur Products.” As of March 16, 2020, the San Francisco Health Code is available in full on the American Legal Website,

https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_health/0-0-0-2.

2. Attached hereto as **Exhibit B** is a true and correct copy of the publicly available webpage maintained by the San Francisco Department of Public Health entitled “Animal Fur Products Frequently Asked Questions.” As of March 16, 2020, this webpage is available at

<https://www.sfdph.org/dph/EH/AnimalFur/faq.asp>.

Each of these exhibits is a matter of public record and is therefore subject to judicial notice. Fed. R. Evid. 201(b); *Lee v. City of Los Angeles*, 250 F.3d 668, 689 (9th Cir. 2001) (a court may judicially notice matters of public record unless the matter is a fact subject to reasonable dispute).

Exhibit A is judicially noticeable because it is a portion of the San Francisco Health Code, and it reflects changes to city law enacted by ordinance. Portions of the municipal code are proper subjects of judicial notice under Rule 201. *San Francisco Baykeeper v. West Bay Sanitary Dist.*, 791 F. Supp. 2d 719, 731-32 (N.D. Cal. 2011). In addition, “[m]unicipal ordinances are proper subjects for judicial notice.” *Tollis, Inc. v. Cty. of San Diego*, 505 F.3d 935, 938 n. 1 (9th Cir. 2007); *Santa Monica Food Not Bombs v. City of Santa Monica*, 450 F.3d 1022, 1052 n. 2 (9th Cir. 2006); *see also Rabkin v. Dean*, 856 F. Supp. 543, 546 (N.D. Cal. 1994) (“The Court may take judicial notice of city charters, city ordinances and resolutions, and the contents and legislative history of a proposed city ordinance or resolution.”).

Exhibit B is judicially noticeable because government memoranda and statements like this are matters of public record appropriate for judicial notice. *See Brown v. Valoff*, 422 F.3d 926, 933 n.9 (9th Cir. 2005) (taking judicial notice of administrative bulletin); *Calif. Sportfishing Prot. All. v. Chico Scrap Metal, Inc.*, 124 F. Supp. 3d 1007, 1016 (E.D. Cal. 2015) (“Government records are susceptible to judicial notice when ‘relevant to an[] issue’ before the court.”) (quoting *Flick v. Liberty Mut. Fire*

1 *Ins. Co.*, 205 F.3d 386, 392 n. 7 (9th Cir. 2000)). Courts have taken judicial notice of similar official
 2 “Frequently Asked Questions” documents regarding local government ordinances. *See Calop*
 3 *Business Sys., Inc. v. City of Los Angeles*, 984 F. Supp. 2d 981, 992-93 (C.D. Cal. 2013) (taking
 4 judicial notice of “Frequently Asked Questions” document regarding city ordinance); *Helicopters for*
 5 *Agric. v. Cty. of Napa*, No. C 18-06124 WHA, 2019 WL 6250907, *3 (N.D. Cal. Nov. 22, 2019)
 6 (taking judicial notice of “Frequently Asked Questions” document regarding local initiative measure).
 7 This exhibit is also judicially noticeable because it has been posted to an official government website.
 8 *See Daniels-Hall v. Nat’l Educ. Ass’n*, 629 F.3d 992, 998-99 (9th Cir. 2010) (judicially noticing
 9 information contained on a government website); *Paralyzed Veterans of Am. v. McPherson*, No. C 06-
 10 4670 SBA, 2008 WL 4183981, at *5 (N.D. Cal. Sept. 9, 2008) (finding that courts commonly take
 11 judicial notice of information and documents on government websites, and citing cases from various
 12 jurisdictions).

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 14 Dated: March 16, 2020

15 DENNIS J. HERRERA
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 19 Deputy City Attorneys

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